

# The Gazette of India

23.11.56

EXTRAORDINARY

PART II—Section 2

PUBLISHED BY AUTHORITY

No. 66] NEW DELHI, FRIDAY, NOVEMBER 16, 1956

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## LOK SABHA

The following Bills were introduced in Lok Sabha on the 16th November, 1956:—

BILL No. 67 OF 1956

*A Bill to continue the Abducted Persons (Recovery and Restoration Act, 1949, for a further period.*

Be it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. This Act may be called the Abducted Persons (Recovery and Restoration) Continuance Act, 1956. Short title:

65 of 1949. 2. In sub-section (3) of section 1 of the Abducted Persons (Recovery and Restoration) Act, 1949, for the words and figures "30th day of November, 1956", the words and figures "30th day of November, 1957" shall be substituted. Amendment of section 1.

## STATEMENT OF OBJECTS AND REASONS

The Abducted Persons (Recovery and Restoration) Act, 1949 (65 of 1949), as amended by the Abducted Persons (Recovery and Restoration) Amendment Act, 1952 (7 of 1952), the Abducted Persons (Recovery and Restoration) Amendment Act, 1952 (77 of 1952), the Abducted Persons (Recovery and Restoration) Amendment Act, 1954 (4 of 1954) and the Abducted Persons (Recovery and Restoration) Continuance Act, 1955 (30 of 1955), under the provisions of which persons abducted during the disturbances of 1947 are being recovered, is due to expire on the 30th November, 1956. As there are still some cases in which recovery has to be effected, it is considered necessary

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to continue the work for another year. The present Bill, therefore, seeks to extend the life of the Abducted Persons (Recovery and Restoration) Act, 1949, up to the 30th November, 1957.

NEW DELHI;

SWARAN SINGH.

*The 6th November, 1956.*

## BILL No. 68 of 1956

*A Bill to amend the States Reorganisation Act, 1956.*

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the States Reorganisation (Amendment) Act, 1956. Short title and commencement.

(2) It shall be deemed to have come into force on the 1st day of November, 1956.

370 f 1956 2. In sub-section (3) of section 35 of the States Reorganisation Act, 1956— Amendment of section 35.

(a) the words and brackets “and such two of the six sitting members representing the Madras (Graduates) Constituency” shall be omitted; and

(b) after the words “cease to be members of the said Council”, the words and brackets “and such two of the six sitting members representing the Madras (Graduates) Constituency as shall be determined by the Governor, by drawing lots, shall also cease to be members of the said Council and shall be deemed to have ceased to be such members on the appointed day” shall be inserted.

## STATEMENT OF OBJECTS AND REASONS

Sub-section (3) of section 35 of the States Reorganisation Act, 1956, provides *inter alia* that such two of the six sitting members of the Madras Legislative Council representing the Madras (Graduates) Constituency as the Chairman shall by order specify shall, on the appointed day, cease to be members of that Council. The High Court of Madras in a judgment delivered on the 5th November, 1956, has held that the vesting of such a power in the Chairman, who is himself one of the group, offends against article 14 of the Constitution and is void and inoperative. In order that the Legislative Council may be the elimination of the two surplus members. It is accordingly proposed in this Bill to amend sub-section (3) empowering the Governor of Madras to determine by drawing lots which two members should be deemed to have gone out of the Legislative Council on the 1st November, 1956.

H. V. PATASKAR.

NEW DELHI,

The 15th November, 1956.

M. N. KAUL,

*Secretary.*

